

**Jones, Peachie L.**

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**From:** Jones, Peachie L.  
**Sent:** Friday, November 4, 2022 5:21 PM  
**To:** 'Elliot Shields'  
**Subject:** RE: Gursslin: Scheduling Depositions + End of Fact Discovery  
**Attachments:** Extend Discovery for Depos.docx

**Exhibit D**

And another revision, because Officer Nellist just called me back!

He called me while out and about though, so he was only certain that he was available on Nov 30.  
If you are looking for a different day, I will need to email him so he can check his work and personal calendars.

Thank you,

Peachie L. Jones  
Municipal Attorney | City of Rochester Law Department  
p: (585) 428-7992 | [Peachie.Jones@CityofRochester.gov](mailto:Peachie.Jones@CityofRochester.gov)

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**From:** Jones, Peachie L.  
**Sent:** Friday, November 4, 2022 5:06 PM  
**To:** 'Elliot Shields' <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Subject:** RE: Gursslin: Scheduling Depositions + End of Fact Discovery  
**Importance:** High

Ok. I have attached a revised version of the letter.

We are still waiting on 2 – Springer and Nellist. I am still tracking them down. Springer is the one that worries me. He works elsewhere now, and if I remember correctly, he has more constraints on his time. To be on the safe side, I set the deadline as Jan 15.

Any concerns with sending this to the judge?

Thank you,

Peachie L. Jones  
Municipal Attorney | City of Rochester Law Department  
p: (585) 428-7992 | [Peachie.Jones@CityofRochester.gov](mailto:Peachie.Jones@CityofRochester.gov)

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**From:** Jones, Peachie L.  
**Sent:** Friday, November 4, 2022 1:20 PM  
**To:** 'Elliot Shields' <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Subject:** RE: Gursslin: Scheduling Depositions + End of Fact Discovery

Whoops. I misread his email.

Apparently Rivera is only available on December 19.

Does that still work for you?

Thank you,



November 4, 2022

Hon. Mark W. Pederson  
United States Magistrate Judge  
100 State Street  
Rochester, New York 14614

Re: Discovery Extension for Depositions  
*Gursslin v. City of Rochester et al.*, Case No. 20-cv-6508 (EAW)(MJP)

Dear Judge Pederson:

I represent the City of Rochester Defendants in the above matter.

Following a short stay of discovery in August and September 2022, the Court set November 7, 2022 as the Fact Discovery Deadline in this matter. The parties exchanged additional “paper discovery” during October 2022, but were unable to schedule depositions in the intervening period.

As such, the parties jointly request that the end of fact discovery be extended for depositions only until January 15, 2023. The parties have scheduled four of the seven outstanding depositions and will take them as follows: Rochester Police Department (“RPD”) Officer McClellan on November 8; RPD Officer Kent on November 8 (and/or November 9 if necessary); and RPD Officer Kelly on November 29, 2022; and RPD Officer Nellist on November 30, 2022; Plaintiff Erin Gursslin on Tuesday, December 13; and former RPD Officer Rivera on Monday, December 19.

The parties have yet to schedule depositions with former RPD Officer Springer, but anticipate those occurring on/before January 15, 2023.

The parties thank the Court for its continued time and consideration in these matters.

Respectfully,

PEACHIE L. JONES  
Municipal Attorney

CC: Elliot Shields, Plaintiff’s counsel

